

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

ARTHUR A. RUGE,

Plaintiff,

v.

THE BAILEY COMPANY, INC.,
d/b/a THE BAILEY COMPANY,
INC. OF DELAWARE

Defendant.

Civil Action No. 3:13-CV-0448

JUDGE HAYNES

JURY DEMAND

EXD 34
Based upon the
amended complaint
that supersedes the original
complaint, this motion is
DEIVED as moot and without
prejudice to the Defendant's
second
motion to
dismiss
D/E No.
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DEFENDANT THE BAILEY COMPANY INC.'S MOTION TO DISMISS

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant, The Bailey Company, Inc.

("Bailey Co."), respectfully moves this Court to dismiss Plaintiff's Complaint [Doc. No.

1] with prejudice because the Complaint shows on its face that it is time-barred by the

applicable one-year statute of limitations. The grounds for this Motion are more fully set

forth in the attached Memorandum in Support.

Respectfully submitted,

FLEISSNER, DAVIS AND JOHNSON

s/ JOHN G. HUISMAN

JOHN G. HUISMAN

Tenn. BPR No. 23991

C. SCOTT JOHNSON

Tenn. BPR No. 019810

Attorneys for Defendant

600 Georgia Avenue, Suite One

Chattanooga, TN 37402

Telephone: 423-756-3591

Facsimile: 423-266-5455

jhuisman@fleissnerfirm.com

sjohnson@fleissnerfirm.com